

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

RICKEY L. JACKSON,)	
)	
Movant,)	
)	
v.)	No. 1:11CV00180 ERW
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

MEMORANDUM AND ORDER

Rickey Jackson has filed a motion to correct clerical mistakes pursuant to Rule 36 of the Federal Rules of Criminal Procedure, which he directed the Clerk to open as a new case. Rule 36 cannot be the basis for an independent civil action. Rule 36 motions must be filed in the criminal case¹ containing the judgment to be corrected. As a result, the Court will dismiss this action because it does not present a “case or controversy.” See Fed. R. Civ. P. 12(h)(3).

¹The Court notes that Jackson has filed a large number of frivolous motions and petitions in his closed criminal case, United States v. Jackson, 1:98CR00039 ERW (E.D. Mo.).

Accordingly,

IT IS HEREBY ORDERED that Jackson is **granted** in forma pauperis status.²

IT IS FURTHER ORDERED that this action is **DISMISSED**.

An Order of Dismissal will accompany this Order.

So Ordered this 5th day of October, 2011.



E. RICHARD WEBBER
SENIOR UNITED STATES DISTRICT JUDGE

²A motion to proceed in forma pauperis status was filed as part of Jackson's pleading.